

ATTORNEY DOCKET NO: F534

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : DE LA CIERVA HOCES, JUAN
Serial No. : 10598592
Filed : September 5, 2006
For : Convertible Aircraft Operating Method
Art Unit : 3644
Examiner : Richard R. Green
Dated : December 9, 2009

Hon. Commissioner of Patents
P. O. Box 1450
Alexandria, Va. 22313-1450

RESPONSE/AMENDMENT

In response to the final Office Action mailed on June 9, 2009, Applicant submits the following:

1. Remarks
2. Claims
3. Replacement Sheet for Figure 7 and New Sheet for Figure 8
4. 3 month extension

Respectfully submitted
for Applicant,

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SHOULD ANY OTHER FEE BE REQUIRED, THE PATENT AND TRADEMARK OFFICE IS HEREBY REQUESTED TO CHARGE SUCH FEE TO OUR DEPOSIT ACCOUNT 03-2465.

REMARKS

Claims 1, 4, 6, 7, and 13 to 19 are pending in this application. Claims 4, 13 and 14 are cancelled. Claims 1, 6, 7, and 17 are amended. Claim 20 is added.

Drawing Objections

The objections to the drawings are addressed as follows:

“step where the rotor blades are independently retracted (...)" – FIG. 8 has been created to show clearly how this step is done.

“the brake” – is part of the transmission (24) and now indicated on FIG. 7 amended. Related claims and description are also amended to indicate part number (24) as warranted.

“means to stop the rotor” – is the transmission including the brake.

“symmetric profile of the rotor blades” – claim 13 is cancelled

“thickness of chord ratio of claim 14” - claim 14 is cancelled.

“propellers placed on the stern of claim 17 “ – claim 17 is amended.

Claim the Objections

Claims 1 and 7 are amended to comply with 37 CFR 1.75(i)

Claim Rejections - 35 USC 112

Claims 1, 4, 6, 7, and 13 to 19 are amended to address the concerns stated in the Office Action under 35 USC 112.

Claim Rejections - 35 USC 102 and 35 USC 103

Claims 1, 6, and 7 are amended to further distinguish this invention from the prior art referenced in the Office Action. Two of the significant novel features of this invention compared to Sambell are that in this invention the rotors are located on the fuselage and there is an actual brake mechanism for the rotor. Sambell (col. 4, lines 39-55) does not disclose the use of a physical brake mechanism which is part of the transmission (24) of this invention.

Specification Amendments:

Page 8 of the specification is amended as follows for the new Figure 8:

Fig. 8 is a perspective view which schematically shows the transmission modes from the engine to the aircraft's rotor; an upper plan view of the aircraft with the rotor blades retracted.

Page 11, lines 5 – 7 of the specification is amended as follows to indicate the transmission including the brake is part (24):

The means for direct and reverse transition from autogyro helicopter mode to aeroplane mode also comprise a brake for said included with the transmission (24), which is adapted to completely stop the rotation of the rotor 6 in aeroplane mode.

Applicant believes that no new matter has been added. Applicant believes that this application is now in condition for allowance and timely allowance is respectfully requested.

Respectfully submitted
for Applicant,

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